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Official Plan Amendments

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Official Plan Amendments

Official Plan Amendments


A guide to their preparation



Ministry of
Housing

Revised February 1981

Official Plan Amendments

A guide to their preparation  Ministry of
Housing
Revised February 1981

Prepared by
Operations Control Branch
(Operations Review Section)

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Ontario Government Bookstore
880 Bay Street
Toronto, Ontario M7A 1Y7
Price: \$2.00 payable in advance to
the Treasurer of Ontario



This publication was designed to assist municipal councils, planning boards and consultants in preparing official plan amendments. It outlines:

1. the information, or content, that should be included in an amendment; and
2. a suggested form for the amending document.

An example appears in the box opposite the text describing each sub-component of an amendment. Viewed in sequence, the examples illustrate a complete official plan amendment.

It is important to keep in mind that this publication is intended as a guide only. The Community Planning Advisory Branch (CPAB) of the Ministry of Housing has field offices throughout Ontario. Staff is available for advice or assistance in preparing amendments to your plan. The Community Planning Review Branches of the ministry can also be contacted for advice. Their address are listed at the back of this publication. Legal questions concerning amendments should be directed to your solicitor.

NOTE:

The White Paper on The Planning Act was released in early 1979, in response to the Report of The Planning Act Review Committee on improvements to the present planning process. The White Paper recommendations form the foundation of a proposed new Planning Act for Ontario. The draft Planning Act was released in December 1979 for public comment and subsequent submissions are currently under review. The new legislation could change the administrative procedures and legislative framework outlined in this publication.

OFFICIAL PLAN AMENDMENTS

a guide to their preparation

<u>TABLE OF CONTENTS</u>	<u>PAGE</u>
I. <u>INTRODUCTION</u>	1
. the planning area	1
. the planning board	1
. the official plan	1
. the amendment	2
. who initiates an amendment?	3
. who prepares an amendment?	4
. who approves an amendment?	4
II. <u>FORM OF AN OFFICIAL PLAN AMENDMENT</u>	5
. components	5
. sub-components	5
III. <u>CONTENT OF AN OFFICIAL PLAN AMENDMENT</u>	6
<u>1. Official Documentation Pages</u>	6
. the certificate page	7
. the adopting by-law	9
. the approval page	11
. the index page	13
<u>2. Identification Components</u>	15
. the title	15
. the constitutional statement	17
<u>3. Part A - The Preamble</u>	19
. the purpose	19
. the location	21
. the basis	23
<u>4. Part B - The Amendment</u>	26
<u>4.1 The Text</u>	27
. the introductory statement	27
. details of the amendment	29
. implementation and interpretation	29
<u>4.2 The Map(s)</u>	31
<u>5. Part C - The Appendices</u>	33
. the summary page	33
. the appendices	35
IV. <u>ADDITIONAL INFORMATION</u>	42

OFFICIAL PLAN AMENDMENTS
a guide to their preparation

I. INTRODUCTION

the
planning
area

The creation of a planning area usually starts when a municipality wishes to undertake a formal planning programme, or a group of municipalities wishes to undertake a joint planning programme. Under The Planning Act, the Minister of Housing has the authority to define a planning area. Essentially, this defined area is the specific territory within which a planning board has the jurisdiction to operate the desired planning programme of the municipality, or municipalities involved.

the
planning
board

Once a planning area has been defined, the municipality shall appoint a planning board. Under section 12(1) of The Planning Act, each planning board must prepare an official plan for its planning area.

the
official
plan

An official plan is usually a comprehensive statement of long-range goals and objectives for the physical, social and economic development of a planning area. Sometimes, a simpler, or "basic" plan, tailored to the immediate needs and short term goals of a small community, is sufficient to guide development. Generally speaking, each plan will vary according to the nature, objectives and problems of the planning area that it covers.

Most plans are made up of maps and a text. One of the maps is usually a land use plan, showing where industrial, commercial and residential uses are expected to locate. The text outlines development policies pertaining to the land use designations on the map. For instance, within the residential use designation, the text might clarify at what density development could occur, and whether parks, schools, local stores, public utilities and home occupations are permitted. It might also specify under what circumstances such uses would be permitted.

Once an official plan has been prepared, planning board recommends it to council for adoption. Council, in turn, forwards the adopted document to the Minister of Housing, or delegated authority¹, for approval, according to the requirements of The Planning Act.

the
amendment

No official plan can be expected to forecast precisely the nature of the changes that will take place in a growing community. For this reason, the legislation requires every planning board to review its official plan on a regular basis, to ensure that the plan's policies and projections are still relevant. Under section 17 of The Planning Act, a municipal council, through a formal amendment process, can change any portion of its official plan. In this way, reasonable development proposals can be considered, which would otherwise be discouraged because they do not conform with official plan policies established under different conditions.

All sections of The Planning Act pertaining to official plans also apply to official plan amendments. These include adoption, submission, lodging and appeal procedures.

The nature of official plan amendments varies from one municipality to the next, or even within a single municipality. For example, an amendment can propose:

- (1) changes in land use;
- (2) clarification of one of the maps; or
- (3) refinement of an existing development policy.

It can also outline detailed policies for an entire village, or for a specific sector of a municipality.

1. Under section 44b(2) of The Planning Act, the Minister of Housing can delegate his authority to approve local official plans, to qualifying regional councils. For example, the Regional Municipalities of Waterloo and Ottawa-Carleton have been delegated this responsibility.

Our sample amendment proposes changes to an official plan for a single independent planning area, referred to as the Smithtown Planning Area. It is a fairly straightforward amendment consisting of a land use designation change in the town, and the addition of associated commercial policies. The sample is divided into sub-components. Each sub-component appears in the box opposite the text describing it.

who
initiates
an
amendment?

Amendments are usually requested by an individual or organization wanting a certain parcel of land redesignated to permit a specific development proposal. Or, planning board identifies the need for a refinement or adjustment to its official plan. The board then evaluates each development request or proposed change against the goals, objectives and purpose of the official plan, before making a recommendation that council should adopt or refuse the amendment². If council agrees, it adopts the proposed change and forwards it to the Ministry of Housing, or delegated authority, for approval under section 17(1) of The Planning Act.

A municipal council can initiate amendments under section 17(2) of The Planning Act. This situation occurs when planning board refuses, or fails to recommend an amendment, but council still intends to proceed with the change.

Section 17(3) of The Planning Act provides an appeal mechanism to any person. If council refuses to consider an amendment, the person requesting it can ask the Minister of Housing, or delegated authority, to refer his proposed change to the Ontario Municipal Board for a decision.

2. The booklet "GUIDELINES FOR EVALUATING AMENDMENTS TO AN OFFICIAL PLAN", will assist planning boards in their evaluation. It is available from any CPAB field office.

who
prepares
an
amendment?

In many cases, amendments are prepared by planning board or the planning department, on behalf of council. But, depending upon the complexity of the amendment, a consulting firm may be retained to prepare the document.

When an individual initiates a section 17(3) amendment, he should provide a written presentation with his referral request, outlining:

- (1) why the proposed change is desirable;
- (2) what the proposal involves; and
- (3) why the municipality refused to consider the amendment.

who
approves an
amendment?

Under existing legislation the Minister of Housing is responsible for approving official plans and amendments. The actual review of an amendment is carried out by the Community Planning Review Branches of the ministry. Where the minister has delegated his responsibility to approve local official plans and amendments, a similar review process would be carried out by the delegated authority.

II. FORM OF AN OFFICIAL PLAN AMENDMENT

The form and content of official plans vary substantially from one municipality to another. Therefore, a standard form for all amendments in Ontario is not possible. However, it is essential that a specific official plan, and amendments to it, adopt a consistent form. This practice ensures easier interpretation of the land use policies for the planning area - an important consideration when the planner, lawyer, developer and layman may each have cause to read the official plan.

Two other advantages of consistency in form are:

- (1) a shorter approval period, since the need for additional information or detailed explanations would be reduced; and
- (2) it would be easier to consolidate amendments and the official plan into one document.

components Ideally, an amendment should be divided into five distinct components. These are, in order of their appearance in the amending document:

- . official documentation pages
- . identification components
- . Part A - The Preamble
- . Part B - The Amendment
- . Part C - The Appendices

By dividing an amendment into distinct components the reader can readily see which part of the document is the actual amendment and which is supplementary material. A well-organized document also assists the reader in immediately determining the legal status of various parts of the document, without having to review it entirely.

sub-components Most components can, and should be divided into distinct sub-components. This practice also contributes to the reader's understanding of the document and its relationship to other official plan policies for the area. These sub-components are discussed in detail in Part III.

III. CONTENT OF AN OFFICIAL PLAN AMENDMENT

Incorporating complete, accurate information into an amendment is extremely important. Extraneous information will only confuse the reader and complicate the approval of the amendment.

In this section, the content, or sub-components, of an amendment will be examined, in order of the suggested appearance in the amending document. This material represents the type of information we feel is essential in any proposal to change the established development policies of an area.

1. OFFICIAL DOCUMENTATION PAGES

There are three types of documentation pages:

- (1) the certificate page;
- (2) the adopting by-law; and
- (3) the approval page.

Together, they attest the official status of the amendment³.

-
- 3. A more detailed explanation of certificate pages, adopting by-laws, submission and lodging requirements for amendments, is outlined in the publication "Procedures for the Adoption, Submission and Lodging of Official Plans and Amendments Pursuant to the Requirements of The Planning Act" (revised November 1978). Copies can be obtained from the Operations Control Branch (Administrative Support Section) or any Community Planning Advisory Branch field office, Ministry of Housing.

The Certificate Page

A certificate page usually indicates that an amendment was recommended to council by planning board, and subsequently adopted by council. Certificate pages also accompany 17(2) amendments (i.e. those initiated by council without the support of planning board). This page is normally inserted in the front of the amending document.

OFFICIAL PLAN
FOR THE
SMITHTOWN PLANNING AREA

Amendment No. 1

The attached map designated "Schedule A" and explanatory text, constituting Amendment No. 1 to the Official Plan for the Smithtown Planning Area, was prepared by the Smithtown Planning Board and was recommended to the Council of the Town of Smithtown under the provisions of sections 12 and 17 of The Planning Act, on the 4th day of January 1979.

(Original signatures)

.....
Chairman Secretary

CORPORATE
SEAL OF
PLANNING
BOARD

This amendment was adopted by the Corporation of the Town of Smithtown by By-law No. 15-79 in accordance with the provisions of sections 13 and 17 of The Planning Act, on the 10th day of January 1979.

(Original signatures)

.....
Mayor Clerk

CORPORATE
SEAL OF
MUNICIPALITY

The Adopting By-law

The adopting by-law certifies that council has formally adopted the proposed amendment, by by-law. Adoption by by-law, rather than by council resolution, is a requirement under section 13(2) of The Planning Act.

Certified true copies of all adopting by-laws are usually inserted immediately after the certificate page.

BY-LAW NO. 15-79

The Council of the Corporation of the Town of Smithtown in accordance with the provisions of sections 13 and 17 of The Planning Act, hereby enacts as follows:

1. Amendment No. 1 to the Official Plan for the Smithtown Planning Area, consisting of the attached map designated Schedule "A", and explanatory text, is hereby adopted.
2. That the Clerk is hereby authorized and directed to make application to the Minister of Housing for approval of Amendment No. 1 to the Official Plan for the Smithtown Planning Area.
3. This By-law shall come into force and take effect on the day of the final passing thereof.

Enacted and passed this 10th day of January 1979.

Signed _____ (TYPED IN)
Clerk

Signed _____ (TYPED IN)
Reeve

CORPORATE
SEAL OF
MUNICIPALITY

Certified that the above is a true copy of By-law No. 15-79 as enacted and passed by the Council of the Town of Smithtown on January 10, 1979.

Signed _____ (ORIGINAL SIGNATURE)
Clerk of the Municipality

The Approval Page

The approval page certifies that the amendment has received approval from the Minister of Housing or his delegate.

If the document has been approved by the province, an approval page is inserted by the Ministry of Housing into the front of the amendment, before the certificate page. Delegated authorities would use a similar method of indicating their approval.

This Amendment No. 1 to the Official Plan for the Smithtown Planning Area, which has been recommended by the Smithtown Planning Board and adopted by the Council of the Corporation of the Town of Smithtown, is hereby approved in accordance with section 17 of The Planning Act as Amendment No. 1 to the Official Plan for the Smithtown Planning Area.

Date: May 1, 1979

(Original Signature)

Approval Authority

The Index Page

If an amendment involves numerous changes, an index page referring to the page number of each component of the amendment is extremely useful. The index page is usually placed immediately following the official documentation pages.

AMENDMENT NO. 1 TO THE OFFICIAL PLAN FOR
THE SMITHTOWN PLANNING AREA

INDEX

	<u>Page</u>
The Constitutional Statement	1
<u>Part A - The Preamble</u>	2
Purpose	2
Location	2
Basis	2
<u>Part B - The Amendment</u>	4
Introductory Statement	4
Details of the Amendment	4
Schedule A - Land Use Plan	5
<u>Part C - The Appendices</u>	6
Appendix I - History of the Community	i
Appendix II - Topography and Soils	i
Appendix III - Population Growth	i
Appendix IV - Land Use Survey and Analysis	ii
Appendix V - Public Participation	v

2. IDENTIFICATION COMPONENTS

The first two sub-components of an amendment are:

- (1) the title; and
- (2) the constitutional statement.

A title identifies the planning area that will be affected by the proposed amendment. The constitutional statement identifies which part of the document is the actual amendment, and which part is supplementary information.

The Title

Every amendment must be given a title. The wording of the title is standard, consisting of the number of that particular amendment, and the name of the planning area.

The name of the planning area must be the one given by the Minister of Housing, or predecessors acting in his capacity, when the planning area was constituted. No other name should be used.

AMENDMENT NO. 1 TO THE OFFICIAL PLAN
FOR THE SMITHTOWN PLANNING AREA

The Constitutional Statement

Because an amending document consists of many parts, a simple statement should follow the title, indicating which parts constitute the actual amendment. An actual amendment usually proposes changes to part of the written text plus part of the map. Often the portions of the document which are not part of the actual amendment, are also clarified.

PART A - THE PREAMBLE does not constitute part of this amendment.

PART B - THE AMENDMENT, consisting of the following text and map (designated Schedule "A"), constitutes Amendment No. 1 to the Official Plan for the Smithtown Planning Area.

Also attached is PART C - THE APPENDICES which does not constitute part of this amendment. These appendices (I through V inclusive) contain the background data, planning considerations and public involvement associated with this amendment.

3. PART A - THE PREAMBLE

The function of the preamble is to introduce the actual amendment. Since it is not part of the actual amendment, it is not incorporated as policy within the official plan.

The preamble should be broken down into three sub-components:

- (1) the purpose;
- (2) the location; and
- (3) the basis.

The Purpose

The purpose describes what change is being contemplated by a proposed amendment. It should specifically describe the main reasons for the proposal. The most common reasons for a change are:

- (1) redesignation from one type of land use to another; or
- (2) imposition of site specific policies for the area affected by the amendment.

The first involves a change in one or more maps of the official plan. The latter involves changes to both the map(s) and to the written text.

PART A - THE PREAMBLE

PURPOSE

The purpose of this amendment is:

- (1) to change the land use designation of certain lands, as shown on Schedule "A" attached, from "Residential" to "Commercial"; and
- (2) to set forth additional policies governing the area affected by this amendment.

The Location

The location is a straightforward part of the amending document. Its purpose is to provide quick reference to those portions of the official plan being considered for changes. The location is especially useful when numerous amendments already exist or are being proposed.

If a proposed amendment is to add a new policy, or change a portion of the text, the exact spot where the addition or change is to be inserted in the official plan should be stated. If the change involves amending a map, the location of the part being changed should be mentioned. This location is often illustrated in colour, or by cross-hatching, on a copy of the pertinent map.

It is important to remember that the description or symbols used in an amendment should be consistent with those used in the official plan. In this way, reviewing and understanding an official plan will remain easy, regardless of the number of changes the plan undergoes.

LOCATION

This amendment consists of two parts which shall be referred to as items (1) and (2).

Item (1): The lands affected by this redesignation are located on both sides of Main Street, bounded by Brown Street, Jane Street, and Green Street on the east side and by Brown Street, Molly Street, and Green Street on the west side, as shown on Schedule "A" attached.

Item (2): Special policies governing the lands affected by this amendment are to be added to Section 3 (Commercial Policies) of the Official Plan for the Smithtown Planning Area, as subsection 3.8.

The Basis

The basis is one of the most important parts of the amending document. It establishes the rationale behind the change being sought by the proposed amendment. The basis should include:

- (a) a brief outline of the studies and analysis that were carried out; and
- (b) the conclusions reached regarding the need for the amendment.

The basis is often supplemented by more detailed, explanatory material in appendices, background reports and studies.

BASIS

The lands affected by this amendment are presently designated "Residential" on Schedule "A" of the official plan. At the time the official plan was prepared, it was anticipated that the area designated "Commercial" on Main Street would be sufficient in size and level of services to serve the Town of Smithtown plus the surrounding area for some years to come.

At that time, it was desirable to restrict the size of the commercial area. Should expansion prove necessary it could be effected by an amendment to the official plan.

Recent urban expansion and an increase in the tourist trade beyond that anticipated when the official plan was prepared, have contributed to the need for additional commercial facilities. On several occasions local businessmen have approached council and planning board for an increase in shopping facilities along Main Street.

The blocks intended for redesignation lie adjacent to existing shops on both sides of Main Street.

Generally, the properties concerned are:

- (a) quite old-in the 40 to 60 year age category; and
- (b) in a poor state of repair.

Some conversion from single family dwellings to retail stores had already taken place prior to the approval of the official plan. These have been recognized as legal non-conforming uses in the official plan.

The parking situation on Main Street is unsatisfactory, especially during the summer months. To some extent this problem will be rectified by allowing for new commercial development supporting additional parking facilities.

BASIS (cont'd):

On the advice of planning board, council feels it is time to change the official plan to meet some of these demands.

(For greater detail see Appendices I - V).

4. PART B - THE AMENDMENT

Part B is the actual amendment. It describes in very specific terms the actual changes being made to an official plan by that particular amendment. When the amendment is approved, this section becomes an integral part of the official plan.

If the proposal is to change the land use designation of a specific property, this should be stated. In addition, the area affected by the redesignation should be outlined on a copy of the pertinent map contained in the official plan. If the proposal also intends to apply specific development policies to the site, this section should:

- (1) state what these policies are; and
- (2) indicate exactly where these policies will be inserted into the text of the official plan.

On the other hand, if the amendment only intends to incorporate new general development policies into the text, no map reference is made.

In most cases the actual amendment consists of two parts:

- (1) the text; and
- (2) the map(s).

They should always be read in conjunction with each other.

4.1 The Text

The text is a written description of the actual amendment. It outlines new policies or changes to existing policies to be incorporated into the official plan.

The text should be distinctly separated into smaller parts. These usually include:

- (1) an introductory statement; and
- (2) details of the amendment.

The Introductory Statement

The introductory statement is a simple statement confirming which part of the total document constitutes the actual amendment.

PART B - THE AMENDMENT

All of this part of the document entitled Part B - The Amendment, consisting of the following text and attached map designated Schedule "A" (Land Use Plan) constitutes Amendment No. 1 to the Official Plan for the Smithtown Planning Area.

Details of the Amendment

The details of the amendment describe the actual changes in detail. Great care should be exercised in writing this section because it becomes policy in the official plan once the amendment receives approval under The Planning Act. Consequently, it should exclude material not meant to be consolidated as policy into the official plan.

Here are a few examples:

- (1) If a certain phrase or policy is to be substituted in the original text of the official plan, the actual substitution should be stated.

eg. "Subsection 3.13(b) 'Designation' of Section 3 'Land Use Policies' is hereby deleted, in its entirety, and replaced by the following: (outline the substituted policies)".

- (2) If a map is to be amended, the exact change to the map should be stated.

eg. "The 'Land Use and Roads Plan' being Schedule 'C' to the Official Plan for the Smithtown Planning Area is hereby amended by redesignating the areas shown in blue on Schedule 'C' attached, from 'Open Space' to 'Hamlet'".

- (3) If special policies applicable to the land use redesignation are also proposed, they should be stated, and their proposed location within the text of the official plan should be indicated.

- (4) If a new policy is to be added, its relation to the existing policies should be described.

eg. "Section 3(10)(b) of the Official Plan for the Smithtown Planning Area is hereby amended by adding the following new clause: (outline the clause)".

Implementation and Interpretation

An official plan already contains provisions for describing how the plan will be put into effect and for interpreting its land use policies. Only implementation or interpretation policies differing from those already contained in the plan should be included as part of the actual amendment.

DETAILS OF THE AMENDMENT

The Official Plan is amended as follows:

Item (1): The area indicated on the attached Schedule "A" of the Official Plan is redesignated from "Residential" to "Commercial".

Item (2): Section 3 (Commercial Policies) of the Official Plan for the Smithtown Planning Area is amended by adding the following new subsection after subsection 3.7:

"3.8 Prior to the approval of any application for commercial development of the area bounded by Jane, Green, Molly and Brown Streets, council and planning board shall be satisfied that:

- (i) the proposed commercial use is harmonious with the visual character and scale of the existing commercial development south of Green Street;
- (ii) all service access will be from Jane Street or Molly Street;
- (iii) ingress and egress of parking facilities associated with the proposed commercial use will not cause danger to:
 - (a) vehicular movement on Main Street;
 - (b) general pedestrian movement in the area; or
 - (c) surrounding residential areas."

4.2 The Map(s)

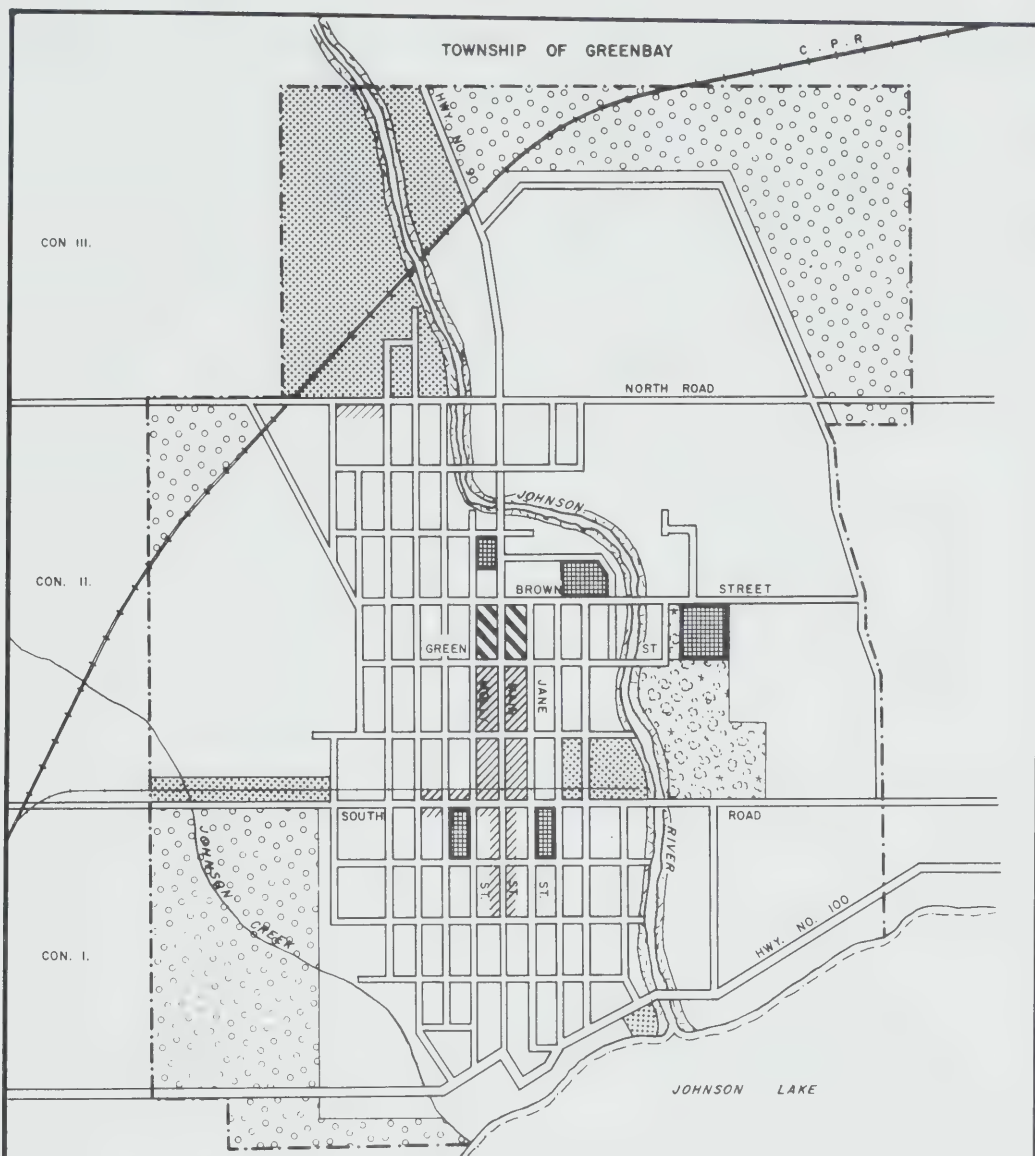
Experience indicates that most amendments require a map, or maps. These are usually called "schedules". They offer a visual description of the proposed change. Once the amendment is approved, the map becomes an integral part of the official plan.

An official plan often contains several maps. These could illustrate the location of future land use, transportation corridors, sewers and water supply, or staging of development. Only those maps intended to be changed should be included in the actual amendment.

The map used for an amendment should be an exact copy, usually a print, of the one used in the official plan. This practice is advantageous because it relates the amendment back to the official plan. The map used should also reflect any changes made in previously approved amendments to the plan.










It is helpful to:

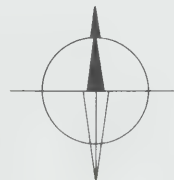
- (1) outline in colour, or cross-hatch, the lands affected by an amendment on a copy of the pertinent map; and
- (2) state the proposed redesignations directly on the map copy.



**AMENDMENT No. I TO THE
OFFICIAL PLAN FOR THE SMITHTOWN PLANNING AREA
SCHEDULE "A"
LAND USE PLAN**

NOTE THIS SCHEDULE FORMS PART OF AMENDMENT No. I TO THE
OFFICIAL PLAN FOR THE SMITHTOWN PLANNING AREA AND MUST
BE READ IN CONJUNCTION WITH THE WRITTEN TEXT

	HAZARD		OPEN SPACE
	RESIDENTIAL		INSTITUTIONAL
	COMMERCIAL		PLANNING AREA BOUNDARY
	INDUSTRIAL		
	RURAL		
	AREA AFFECTED BY THIS AMENDMENT— PROPOSED CHANGE FROM RESIDENTIAL TO COMMERCIAL		



180 0 180 360
SCALE IN METRES

DATE: OCT/78

5. PART C - THE APPENDICES

The Summary Page

For easy reference it is useful to summarize the appendices on a separate page inserted immediately before the appendices.

PART C - THE APPENDICES

The following appendices do not constitute part of Amendment No. 1, but are included as information supporting the amendment.

Appendix I	History of the Community
Appendix II	Topography and Soils
Appendix III	Population Growth
Appendix IV	Land Use Survey and Analysis
Appendix V	Public Participation

The Appendices

Appendices do not form part of the actual amendment. Nevertheless, they contain reference material or detailed information relevant to it. They are normally placed at the back of the document.

Appendices sometimes consist of:

- (1) a chart or table (eg. land use survey, population analysis);
- (2) additional maps (eg. soil capability, existing land use);
- (3) minutes and resolutions of planning board/council meetings; or
- (4) details of public meetings.

Any number of appendices can accompany the amending document. However, this data must be pertinent to the proposal under consideration.

Evidence of public meetings held to discuss the proposed amendment must be included with the document. Details of such meetings are usually outlined in the appendices.

APPENDIX I: HISTORY OF THE COMMUNITY

A brief but complete history of the community is outlined in Appendix "C" of the Official Plan for the Smithtown Planning Area, approved by the Minister of Housing in 1975. A comparison of this outline with statistics shown elsewhere in these appendices indicates that a rapid change has taken place to the community in the past three years concerning the item covered by this amendment.

APPENDIX II: TOPOGRAPHY AND SOILS

The topography and soils underlying and relative to the areas proposed for change under this amendment, will in no way affect the anticipated new use. The road grade on the relevant section of Main Street does not exceed 5%. However, certain side roads entering Main Street do exceed 5%. Vehicular access on to these streets should not be encouraged.

Maps designated Appendices "D" (Topography) and "E" (Soils) in the official plan should be examined for clarification of the situation.

APPENDIX III: POPULATION GROWTH

1931	1941	1951	1961	1969	1975	1978
2,592	2,700	3,801	4,500	4,890	4,982	5,442

The population of the town over the last three years has increased by over 140 persons per annum or about 36 families.

It is estimated that the summer population dependent on the Town of Smithtown for services will exceed 15,000 in 1979, a 30% increase since 1975.

APPENDIX IV: LAND USE SURVEY AND ANALYSIS

A. Existing Land Uses

<u>Type of Store</u>	<u>Number of Retail Stores</u>	<u>June 1978</u>
Supermarkets	1 (small - 225 sq. metres)	
Drug Stores	2 including 1 with post office facilities	
Small Grocers (non-self-serve)	2	
Hardware	1	
Restaurants	3 (one generally closed in winter)	
Women's Clothes	1 (including girls' wear)	
Men's Clothes	1 (including boys' wear)	
Barbers	3	
Beauty Parlors	2	
Dry Cleaners	2 (including shoe repairs)	
Gas Stations	3	
Dry Goods	1	
Miscellaneous	2	

In addition, there are two real estate offices, two banks and a general post office. There is also a small movie theatre with a seating capacity of 580 and two hotels with a total of 30 bedrooms.

Since the official plan was approved in 1975, four new stores have been opened within the area presently designated "Commercial". These include:

- one restaurant
- one small grocer
- one dry cleaners
- one women's clothing store

A total frontage amounting to only 56 metres remains undeveloped for commercial purposes within this designated area.

APPENDIX IV (cont'd):

Altogether it is expected that some 3,720 square metres of retail space is necessary within the planning area, if the facilities are to adequately serve the anticipated summer population over the forthcoming years. This means an increase of nearly double over the present square footage of retail space. (See Retail Market Study Analysis - Smithtown, June 1978, prepared by Commercial Consultants Limited.)

B. Planning Considerations

A survey was conducted of the areas most suitable for re-designation to provide for this increase in retail space. These factors were taken into account during the survey:

- (1) Relationship to areas already established for retail purposes.
- (2) Age and condition of properties in the areas for reclassification. In other words, was it likely that demolition could be effected at reasonable cost, or could the properties be converted conveniently and successfully, bearing in mind the regulations that should be imposed on such new development?
- (3) Would the surrounding street network be capable of handling the new traffic likely to be generated by such change?
- (4) Would the existing underground services be capable of handling the increased demand likely to be made upon them by such development?
- (5) What effect would this change have on neighbouring properties?
- (6) Would the proposed change likely cause danger to pedestrians, school children or residents in the immediate vicinity, because of an increase in vehicular traffic?

Weighing these factors against the demand for new commercial retail floor space, planning board felt that the two blocks indicated in this amendment should be redesignated to commercial

APPENDIX IV (cont'd):

use, provided that the abutting neighbourhood residences are protected through the placement of appropriate site plan controls (buffer strips, service access, parking facilities, etc.) on the proposed commercial uses.

The changes under this amendment will create a more balanced commercial centre for the community as a whole. With the proper safeguards these will not be detrimental to properties in the immediate vicinity.

C. Existing Land Use - Comparative Figures (hectares)

Residential	Commercial	Industrial	Schools	Parks	Rural
385	14	51	4	12	119

The changes proposed by this amendment will decrease the residential area by .8 hectares and increase the commercial area by an equal amount.

APPENDIX V: PUBLIC PARTICIPATION

A public meeting was called by the planning board in the council chambers of the town hall on September 15, 1978.

The meeting was advertised in the twice weekly edition of the local paper on the previous week and all council and local board members were notified by mail under letter dated September 5, 1978.

The meeting began at 7:45 p.m. under the chairmanship of the chairman of the planning board. About 42 people were in attendance:

1. 27 members of the public;
2. the remainder, council or local board members.

The planning board displayed its entire complement of survey maps and a large scale map of Main Street.

The chairman of the planning board explained the reason for the meeting and the board's thinking on the two items concerned.

Several questions were asked from the floor, some of a specific nature regarding a particular piece of property. Some questions were asked by the local businessmen regarding the nature of retail uses to be permitted in the area proposed for redesignation.

The chairman, and in some instances, members of the planning board, answered the questions raised. In general, the two items covered under this amendment were well received in the meeting. Certain objections were raised about the location of commercial uses adjacent to "one of Smithtown's fine old houses" but the board assured the objector that every safeguard would be applied to ensure the minimum of interference with the appearance of property, or any other aspect that may depreciate its value.

APPENDIX V (cont'd):

At a subsequent meeting, planning board discussed all the questions raised at the public hearing of September 15th. The merits and demerits of items 1 and 2 in light of the objections raised were also discussed. The final format of this amendment is based on this discussion. The board feels these items may now be introduced into the plan.

The board also feels that in practice, these items will benefit the town and not be seriously detrimental to anyone.

IV. ADDITIONAL INFORMATION

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COMMUNITY PLANNING REVIEW BRANCH (North and East)

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